

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Demetrius Franklin Dixon,)	C/A No. 5:15-cv-03383-BHH-KDW
)	
)	
Plaintiff,)	
)	ORDER
v.)	
)	
Practitioner Eastergard, Officer Daughtery,)	
Officer Leeman, Officer Rejornis, Nurse)	
Hines, and One Unknown Nurse,)	
)	
Defendants.)	
)	

Plaintiff, proceeding *pro se* and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. On December 22, 2015, Defendants filed a Motion to Dismiss for lack of Subject Matter Jurisdiction. ECF No. 36. In an order the court advised Plaintiff of the importance of such motions and of the need for him to file adequate response pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975). ECF No. 37. Plaintiff was specifically advised that if he failed to respond adequately, the Defendants' Motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order Plaintiff has failed to respond to the Motion. As such, it appears to the court that he does not oppose the Motion and wishes to abandon this action against Defendants. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Defendants' Motion to Dismiss by **March 4, 2016**. Plaintiff is further advised that if he fails to respond, this action will be recommended for

dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

February 4, 2016
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is written in a cursive, flowing style with a large initial 'K' and a distinct 'D'.

Kaymani D. West
United States Magistrate Judge